

EXHIBIT A

Order

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

Art Van Furniture, LLC, *et al.*,¹

Debtors.

Chapter 7

Case No. 20-10553 (CTG)

Jointly Administered

Alfred T. Giuliano, solely in his capacity as the
Chapter 7 Trustee of Art Van Furniture, LLC, *et al.*,

Plaintiff,

-against-

Archie A. Van Elslander Trust dated November
26, 1982, as Amended, the Estate of Archie A.
Van Elslander, Gary A. Van Elslander, Gary A.
Van Elslander Revocable Trust, David P. Van
Elslander, Debra A. Van Elslander, Debra A. Van
Elslander Revocable Trust, Kenneth A. Van
Elslander, Kenneth A. Van Elslander Revocable
Trust, Sandra L. Seroka, Karen B. Paglino, Karen
B. Paglino Revocable Trust, Lori J. Webb, Kim
M. Van Elslander a/k/a Kim M. Campau, Kris A.
Scarfone, Beth M. Wood, AV Conner Holdings,
Inc., VEV Real Estate LLC, and Richard Kim
Yost, and John Does 1-100,

Defendants.

Adv. Proc. No. 22-50229 (CTG)

Re: D.I. ____

**ORDER APPROVING STIPULATION EXTENDING THE TIME FOR THE VAN
ELSLANDER DEFENDANTS TO RESPOND TO THE COMPLAINT**

¹ The Debtors in these chapter 7 cases, along with the last four digits of each Debtor's federal tax identification number, are: Art Van Furniture, LLC (9205); AVF Holding Company, Inc. (0291); AVCE, LLC (2509); AVF Holdings I, LLC (2537); AVF Holdings II, LLC (7472); AVF Parent, LLC (3451); Levin Parent, LLC (8052); Art Van Furniture of Canada, LLC (9491); AV Pure Sleep Franchising, LLC (8968); AVF Franchising, LLC (6325); LF Trucking, Inc. (1484); Sam Levin, Inc. (5198); and Comfort Mattress LLC (4463).

This Court having considered the *Stipulation Extending the Time for the Van Elslander Defendants to Respond to the Complaint* (the “Stipulation”) by and between Alfred T. Giuliano, solely in his capacity as the chapter 7 trustee (the “Trustee”) for the bankruptcy estates of the above-captioned Debtors, and defendants Archie A. Van Elslander Trust dated November 26, 1982, the Estate of Archie A. Van Elslander, Gary A. Van Elslander, Gary A. Van Elslander Revocable Trust, David P. Van Elslander, Debra A. Van Elslander, Debra A. Van Elslander Revocable Trust, Kenneth A. Van Elslander, Kenneth A. Van Elslander Revocable Trust, Sandra L. Seroka, Karen B. Paglino, Karen B. Paglino Revocable Trust, Lori J. Webb, Kim M. Van Elslander a/k/a Kim M. Campau, Kris A. Scarfone, Beth M. Wood, AV Conner Holdings, Inc., and VEV Real Estate LLC (collectively, the “Van Elslander Defendants”), to extend the Van Elslander Defendants’ time to respond to the *Complaint*; the Court having determined that good and adequate cause exists for approval of the Stipulation; and the Court having determined that no further notice of the Stipulation must be given;

IT IS HEREBY ORDERED THAT:

1. The Stipulation annexed as Exhibit 1 to this Order hereby is approved.
2. The time for the Van Elslander Defendants to respond to the *Complaint* [Adv. D.I. 1] is extended through and including June 10, 2022, without prejudice to the rights of the Van Elslander Defendants to request a further extension of time to respond to the *Complaint* and without prejudice to the rights of the Trustee to oppose any such request.

3. The Court shall retain jurisdiction over any and all matters arising from the interpretation or implementation of this Order.

EXHIBIT 1

Stipulation

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

Art Van Furniture, LLC, *et al.*,¹

Debtors.

Chapter 7

Case No. 20-10553 (CTG)

Jointly Administered

Alfred T. Giuliano, solely in his capacity as the
Chapter 7 Trustee of Art Van Furniture, LLC, *et al.*,

Plaintiff,

-against-

Archie A. Van Elslander Trust dated November
26, 1982, as Amended, the Estate of Archie A.
Van Elslander, Gary A. Van Elslander, Gary A.
Van Elslander Revocable Trust, David P. Van
Elslander, Debra A. Van Elslander, Debra A. Van
Elslander Revocable Trust, Kenneth A. Van
Elslander, Kenneth A. Van Elslander Revocable
Trust, Sandra L. Seroka, Karen B. Paglino, Karen
B. Paglino Revocable Trust, Lori J. Webb, Kim
M. Van Elslander a/k/a Kim M. Campau, Kris A.
Scarfone, Beth M. Wood, AV Conner Holdings,
Inc., VEV Real Estate LLC, and Richard Kim
Yost, and John Does 1-100,

Defendants.

Adv. Proc. No. 22-50229 (CTG)

**STIPULATION EXTENDING THE TIME FOR THE VAN ELSLANDER DEFENDANTS
TO RESPOND TO THE COMPLAINT**

¹ The Debtors in these chapter 7 cases, along with the last four digits of each Debtor's federal tax identification number, are: Art Van Furniture, LLC (9205); AVF Holding Company, Inc. (0291); AVCE, LLC (2509); AVF Holdings I, LLC (2537); AVF Holdings II, LLC (7472); AVF Parent, LLC (3451); Levin Parent, LLC (8052); Art Van Furniture of Canada, LLC (9491); AV Pure Sleep Franchising, LLC (8968); AVF Franchising, LLC (6325); LF Trucking, Inc. (1484); Sam Levin, Inc. (5198); and Comfort Mattress LLC (4463).

Alfred T. Giuliano, solely in his capacity as the chapter 7 trustee (the “Trustee”) for the bankruptcy estates of the above-captioned Debtors, by his undersigned counsel, and defendants Archie A. Van Elslander Trust dated November 26, 1982, the Estate of Archie A. Van Elslander, Gary A. Van Elslander, Gary A. Van Elslander Revocable Trust, David P. Van Elslander, Debra A. Van Elslander, Debra A. Van Elslander Revocable Trust, Kenneth A. Van Elslander, Kenneth A. Van Elslander Revocable Trust, Sandra L. Seroka, Karen B. Paglino, Karen B. Paglino Revocable Trust, Lori J. Webb, Kim M. Van Elslander a/k/a Kim M. Campau, Kris A. Scarfone, Beth M. Wood, AV Conner Holdings, Inc., and VEV Real Estate LLC (collectively, the “Van Elslander Defendants”), by their undersigned counsel, hereby stipulate and agree as follows:

1. The Van Elslander Defendants shall have through and including June 10, 2022 (the “Extension”), to file an answer, move, or otherwise plead in response to *Complaint* filed by the Trustee on March 7, 2022 [Adv. D.I. 1].

2. The Extension is without prejudice to the rights of the Van Elslander Defendants to seek a further extension of time to answer, move, or otherwise plead in response to *Complaint* or the rights of the Trustee to oppose any further extension.

3. Each of the Van Elslander Defendants hereby acknowledges and agrees that the Summons and Complaint in this Adversary Proceeding were properly served on them and they will not raise an affirmative defense to, or otherwise challenge, the sufficiency of service of process, except that counsel to the Van Elslander Defendants may seek dismissal of defendants Archie A. Van Elslander Trust dated November 26, 1982, and the Estate of Archie A. Van Elslander, on grounds that such entities do not exist and therefore cannot properly be named as defendants and/or served with process.

4. Each of the Van Elslander Defendants agrees not to raise an affirmative defense, or otherwise claim, that the Trustee failed to properly name any of the Van Elslander Defendants in this adversary proceeding.

5. For the avoidance of any doubt, the foregoing stipulations shall only apply to the Van Elslander Defendants and shall not bind any other defendant named in this adversary proceeding. Further, for the avoidance of doubt, nothing contained in this stipulation shall limit the Trustee's rights or remedies with respect to any party other than the Van Elslander Defendants.

Dated: April 21, 2022

/s/ Bryan J. Hall

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223864909v2

Dated: April 21, 2022

/s/ David R. Hurst

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